

Tentative Agenda
University Senate
April 2, 2018
HSC, LH 6

- I. Approval of tentative agenda
 - II. Approval of Minutes from March 5, 2018
 - III. President's Report (E. Feldman)
 - IV. Discussion with the President (S. Stanley)
 - V. Discussion with the Provost (M. Bernstein)
 - VI. Discussion with the VP for HSC (K. Kaushansky)
 - VII. Nominations for the Position of Secretary/Treasurer
 - VIII. Report from the University Environment Committee (T. Wilson)
 - IX. UUP Report (C. Kube and K. Moriarty)
 - X. Old Business
 - XI. New Business
-

University Senate
Minutes
March 5, 2018

- I. Approval of agenda: approved.
- II. Approval of Minutes from February 5, 2018: approved.
- III. President's Report (E. Feldman)
 - I want to thank the President for waiving the fees for us to use the Wang Theater.
 - Laurie and I met with Mitch Menarchem from the Office of the VP for Administration last week about the new rules about going paperless for travel submissions. They will implement it in the fall. There will be new streamlined rules that will be paperless and all online. They will begin a pilot program shortly.
 - The University Senate survey comes out every two years. The last one was delayed because the timing wasn't correct. We are trying to keep them on even years. Rob Kelly (Chair, Administrative Review Committee) is going to tell you a little bit about the survey and its implementation in the next month or so.

R. Kelly: The survey will be available to everybody the week after spring break. We took the previous survey from 2016 and updated it. This will give us a chance to easily compare the results from 2016 to this year. We expect to have preliminary results for the May Senate meeting and then we will have the final report early in the fall semester. The survey is password protected. It is guaranteed one person, one vote.

- Our Secretary/Treasurer, Kathleen Monahan, is competing her second term and although our constitution and by-laws allow her to run for another term, she has decided to allow for new leadership. I am announcing today the position of Secretary/Treasurer will be open. We'll have formal nominations at the April meeting and we will vote on it at the May meeting of the Senate. The Secretary/Treasurer is a member of the Executive Committee, takes minutes at the Executive Committee meetings and is also responsible for our budget. It's an opportunity to be part of the leadership of the Senate. It is open to any member of the Senate. Since we have a new President who is from the Arts and Sciences I would like the Secretary/Treasurer to be from another part of the campus so that we have a diversity of opinion at the Executive Committee meetings.

IV. Discussion with the President (S. Stanley)

- **Budget:** We began with a plan that was designed primarily through attrition and selective renewal of positions to start [indistinct] the budget deficit that we face. We did a mid-course look at what kind of progress we were making towards moving to reducing our expenses and we weren't moving at a pace that we wanted to. So we made a decision at that time to put a hold on hiring across all areas. I've talked before about what has led to the position we are in now. We are facing an imbalance between what we bringing in revenue, tuition and the State Allocation and what are costs are. And that's related to the fact that the State allocation has been frozen for four or five years. The tuition increases in the past years have not been enough to keep up with the increase in costs we face with the resulting structural deficit. I think this is fixable by a number of strategies. This is a SUNY-wide problem. The cost for negotiated contractual salary increases for all of SUNY is about \$70 M. The tuition increase that was received by all of SUNY at \$200 a year adds up to about \$23 M. That creates a \$47 M. deficit just for one year. That doesn't count what has happened in previous years and it doesn't count in the years going forward. One of the reasons it was rolled out the way it was, and I've had people ask me, why they heard about when it was released on Friday morning. There are two reasons for that. One was that we thought it was very important to have a level playing field for everyone. I think that information released ahead of time about the hiring freeze would allow people to make some adjustments in hiring that would be unfair to others. We really wanted to roll out a process that was going to affect everybody in the same way. The second was that one of the things I found most disturbing about the situation we're in is the lack of public recognition about it. This is happening in a very insidious way. The State can claim, as they have, that they are giving us the same amount of money they've given us every year and that

we haven't had a budget cut. But when our cost increases are not funded and we don't have the ability to recover from tuition, we have a budget deficit. When we took this action, which was drastic, we wanted to use it as an opportunity to speak out about this problem, for the SUNY system as a whole, but for Stony Brook specifically. That involved an exclusive interview with Newsday the night before but not disseminating the interview information across campus until we were ready to do that. We've maintained close communication with CAPRA, meeting every other week. We've worked very hard to be transparent, but the reason this was announced without more of a preamble is for the two reasons I talked about. There will be possible exemptions in hiring. We will be looking at the impacts of not filling positions. The Vice Presidents and Sr. Vice Presidents in each division would be responsible for reviewing and forwarding them and making the decision on whether to have an exception go forward to me. We will be pretty firm on this. We are taking a look at containing other expenditures. We are putting limits to what people can put forward without getting central approval. We will be able to track now much more carefully what's coming from units and what's going on by moving these centrally. We won't be offering a retirement incentive. When I talk about contractual salary increases I think people have been justifiably concerned that I am criticizing the salary increases and feel that I am actually putting the criticism forward to you, the union members. That couldn't be farther from the truth and I would apologize if that's been the interpretation. I support very much the contractual salary increases you get. You deserve those contractual salary increases. The work that people do at Stony Brook is valued. My intention is to call attention to the fact that we don't have the money necessarily to cover these as [indistinct] constructed by the state. I want to make it clear to people we are not being given by state allocation or the ability to raise tuition the funds necessary to cover these increases.

- **Stony Brook Foundation:** It is one of our most valuable assets to the University. It fulfills its fiduciary responsibly to our donors and to the University. The Stony Brook Foundation is completely independent of state dollars. We're not talking about tax payers dollars. The funds come from donor dollars to Stony Brook University. Private individuals who like to donate their money to Stony Brook University through the Foundation. That is the source of their dollars. As such, the Stony Brook Foundation is not subject to the Office of State Comptroller or any State audit. They are subject to the Attorney General Office. They are separate 501C3. They are regulated by the State. In fact NYS probably has the most intense regulations around non-profits. Independent auditors, in our case Ramcort, reviews the performance of the Stony Brook Foundation. We have had a clean audits from the internal auditors. We have had no issues with the State from the IRS with the submission of the 9090 forms. The article in Newsday was about an audit that was done by the State Comptroller on SUNY. It was an audit of SUNY and how it manages the Foundations. And that audit claimed to show a number of problems with this. I think a careful review shows that there was really nothing there. During the time period it was audited there were tens of thousands of transactions. There was about \$70 M worth of transactions. The audit found four things to question about these transactions. This included a \$420 dinner that was held

but the receipt wasn't itemized. A second one was that in its role of supporting the University, the Foundation occasionally has helped support events at the University particularly those that may matter a lot to faculty, students and alumni. One was a \$5,000 retirement dinner for our former Dean of Students, Jerry Stein. This involves someone who gave 38 years to the University who was responsible for helping maintain morale for our students. The third thing was about contracting. There is a 501C3 non-profit again and Stony Brook is not subject to State regulations around procurement. Our regulations are complex around procurement. In spite of that, the Stony Brook Foundation does do competitive bidding for most of the contracts it has because they want to get the best value. A handful were cited where there was not competitive bidding done. These were vendors we have worked with for years who have actually kept their rate flat for a six year period during these contractual negotiations. The other things they talked about in terms of funding is what went to people in the Administration. One of the biggest challenges we have is recruiting outstanding people to Stony Brook that is important on the administrative side as well. The Foundation can help kick in sometimes to help us with this. In one case, we were recruiting someone who has been absolutely outstanding, who has made a great difference to this University. In their previous contract they had housing provided for them by their university. The University provided a house for them. We couldn't provide a house going forward but we did provide an interest free loan for them of \$300,000 through the Stony Brook Foundation. It helped us recruit this individual and helped us retain that individual because it was a retention package and that they had to stay for the five years. These are things that were criticized. I want you to understand that there was not a lack of controls of the Stony Brook Foundation. The thing that concerns me the most about this is the people who donate to the Foundation and the 23 people on the Board who spend their time supporting the Foundation. I want to make sure that you at the University who are recipients of what the Foundation does, don't take the wrong message out.

N. Goodman: You indicated that CAPRA was involved in these discussions. CAPRA has not been involved in discussion that led your decision to suspend hiring. We have been meeting with the budget officers and the Provost on a monthly basis to try to keep track of budget but the only knowledge we had of this last action was the email sent to the campus. I have been trying to get data for CAPRA from the Foundation about how much comes in, how much of that is earmarked, how much of that is not earmarked and how are those allocations of the not earmarked ones, where are they going to, who makes that decision and what criteria and how did that affect the regular budget process. I have been unsuccessful getting that information.

S. Stanley: As I said before is that the Foundation is a separate 501C3. Maintaining that independence is extremely important to the Foundation for a number of reasons. Most prominently is that if it is viewed as a State entity is that makes it subject to FOIL potentially not protecting our donors and their rights. You can view the 990 which lists the biggest salaries supported by the Foundation and its expenditures

N. Goodman: How does it affect the campus?

S. Stanley: Most of the money that comes from the foundation is clearly earmarked. The donors tell us what they want us to do with their money. It could be for scholarships, endowments, research, etc.

A. Tucker: Most universities post the return they have on their investment every year. I haven't seen that data for Stony Brook. Is it posted somewhere?

S. Stanley: So the return on the endowment? A. Tucker: Yes. S. Stanley: We send out a letter to all our endowment holders on what the return was. It is also available on the website. The Chronicle and NACUBO publishes it.

F. Walter: There is a perception problem. We have no money, we're terminating faculty and staff and we have a hiring freeze. We find out from this audit that there are members of the administration make \$600,000 a year who can afford to buy a house and they get a \$300,000 interest free loan to help pay for housing costs. It doesn't really matter what the facts are, it's all perception.

S. Stanley: The challenge is, again, that the Foundation dollars are very much separate from the state budget. It allows us to get people with the kind of caliber we need.

E. Feldman: During your tenure as President, you have done a great job of improving the reputation of Stony Brook nationally and internationally. I'm concerned about the reputation of Stony Brook that has taken so long to build. What are you or what can we do to recover from these budgetary challenges

S. Stanley: Despite the budget challenges we face, we are still doing amazing things. Sponsored research went up 5 1/2% last year and it's up 10% year to date. Our graduation rate is going from 47% to 58%. When I came in 2009 we also put in place a hold on hiring. We are talking to all departments looking for ideas to increase revenue and decrease expenditures.

J. Sanders: I think you would have been much better off if you and the three other flagship Presidents had met with the editorial board of the New York Times which has a much more serious, much more powerful voice than Newsday. The two things that I'd like to ask you about that are not financial. One is about guns and one is about reporting sexual harassment on campus. In light of what happened last week in Michigan with that unfortunate incident of a student shooting his parents, and in light of the fact that we have a great number of students who are the children of cops and officers who have guns in some large numbers. Would it not behoove just as we have signs entering the campus saying this is a tobacco free campus, to have signs indicating this is a gun free campus that even if you are a police officer under cover that you must surrender your guns? Aren't guns as much a public health threat as tobacco? The second is, this week Stanford University joined a growing list of institutions including Michigan State, Columbia and others that published reports on the aggregate data on sexual assault and sexual harassment cases and outcomes. We've had a great deal of trouble since the Title XI Officer will not talk to student journalists and will not talk to people inquiring. When we made an inquiry at the last session about the settlements of millions of dollars reached from old cases at East Campus, we got nowhere. Don't you think that Stony Brook should join places like Stanford, Columbia and Michigan with an annual report with aggregate data on sexual assault and sexual harassment cases? After all, if we've learned anything from the Me Too Movement is that silence encourages this kind of activity and that sunshine helps bring things into a better light.

S. Stanley: Fortunately New York has laws that keep guns off our campus and so they are not allowed on our campus. My initial response to the shootings both in Florida and Michigan is to make sure that we continue to advocate to make sure those gun laws stand in New York and make sure we are providing access to training on what to do if there is a shooter on campus. University Police provides training across the campus. I will consider the idea of signage on campus.

J. Sanders: We have a great number of students whose parents are police officers and so they are bringing in guns on campus. That gun was in the car of the parents. The father was a Police Officer. I think it's very important especially as the stress level of our students goes up that we probably more than any school I can think of have parents who are armed in NYS.

S. Stanley: The second question was about coming forward with Stanford and other universities reporting statistics on sexual harassment and sexual assault. I don't have an overall objection to the issue. We are trying to collect these data and what the actual pathway.

Rebecca, News Editor for the Statesmen): In relation to the audit, just to clarify the the Stony Brook Foundation has no intention to re-contract with the University Comptroller's Office?

S. Stanley: The University's Comptroller's Office does not have jurisdiction over the Stony Brook Foundation. The audit was done to look at SUNY's management of the Foundation. There has never been anything in the contract which would give OSC the ability to audit the Foundation separately. They can ask SUNY for particular things which we can then through the contract may have to provide to SUNY depending on the nature of the contract. There are a number of schools that are out of contract with SUNY right now because negotiations are going on as to how that contract should be structured.

K. Wishnia, Treasurer, GSO: Can you describe some of the sacrifices that the administration has done to reduce expenses?

S. Stanley: During the time when we did have faculty under SUNY 2020 we didn't add administration. Administration fell significantly when we received the first set of budget cuts because at that point in time the freeze was solely on administrative side and didn't involve ?? of faculty hiring so administration bore the brunt and we've never really taken those numbers up since then so we are very lean compared to our peers.

A. Bouraad, Treasurer, USG: There has been multiple decisions and situations that have come across the student body whether it be the resignation of College of Arts and Sciences Dean or the hiring freeze. Neither of those emails and a lot of other emails that are sent out to faculty and staff, students are simply left out. I was curious as to why that decision was made and why we are finding out about our Dean resigning through the Statesmen and a video about the budget hiring freeze even though they directly influence students.

S. Stanley: In terms of the communication of the Dean of Arts and Sciences it sounds like that was an error that the students weren't copied on. That should have been done and I'll take responsibility. In terms of the budget I talked about why we rolled it out the way we did in terms of the impact on units. It's important to be transparent.

V. Discussion with the Provost (M. Bernstein)

- We are working through a transition in leadership in the College of Arts and Sciences. I've already communicated directly with the department chairs in the College about our

steps to identify and recruit an Interim Dean. I will be writing to all of the College in the couple of days soliciting their input and nominations for an Interim Dean appointment. That will be an internal appointment. This is not going to be a national search. I don't want to rush this process but I don't want to dawdle either but we have a little time to go through this in a prudent and methodical way. Let's just say for the sake of argument that within a month or so we should be in a position to identify an Interim Dean who would come on board in the summer. She or he would start working with Sacha Kopp in the remaining months of the semester to facilitate the strongest and smoothest as possible transition in the College Dean's Office.

- I am working with the Senior Budget Officer in my unit, Heather Montague, and beginning to work with the Deans on the West Campus on issues pertaining to the hold on hiring. We've had some unit directors and leadership coming forward with exceptions to the hiring hold. We will begin a process to consider those requests for exception in a systematic way and ultimately bring recommendations to the President. He will make the final decisions on any such hiring exception requests.

J. Sanders: Is there going to be some place on the University or on your website where the exception process will be spelled out?

M. Bernstein: I think we already have some FAQ's following up on the President's message that describe in broad outline the exception process.

VI. Discussion with the VP for HSC (K. Kaushansky)

- University Hospital continues to be very busy.
- The affiliation with Southampton Hospital is going very well and they are under our license. We started a Cardiac Catheterization Lab at Southampton Hospital and we have now done over 100 patients with terrific outcomes.
- We are in the process of doing a similar affiliation with Eastern LI Hospital and SUNY now has our paperwork, MOU's and all of the data that is needed.
- I've met with the faculty in the School of Health Technology and Management a couple of weeks ago to go over the Interim Dean and Dean Search. We now have an Interim Dean, Carlos Vidal.
- Lee Xipollitos, our Dean of the School of Nursing, has announced her intention to retire. Her goal was to retire at the end of the academic year and the plan was to begin a search. We have not yet appointed an Interim Dean because Lee had agreed to stay on until we found a replacement.
- The School of Social Welfare had an accreditation visit. We aced it. The examiners who came and did the exit interview were very impressed.
- We are counting down (13 months) to re-accreditation at the School of Medicine. Our self-study goes in at the end of the calendar year so the surveys that we do now will be the last surveys that will go into that self-study. At the Curriculum Committee this morning we went over the student assessment of the School of Medicine and 89% of our students are satisfied. The national average is around 80%

- The State Construction Fund is putting additional overtime employees working on construction. It will be ready for the Fall 2018 semester. This is important because the School of Pharmacy has been given permission to start recruiting students.

R. Aller: When you watch local TV like News 12 and Cablevision, it is very common to see advertisements for Stony Brook Medicine. They are nicely constructed and very convincing. How are they paid for and how do they impact the program. Have you seen positive benefit from them?

K. Kaushansky: We do a public phone survey every two years. The advertising budget is about \$2.5 M. It comes right out of Hospital revenues and there are no state dollars. We have become the preferred Hospital for more and more people in Suffolk County. It has paid substantial dividends for us. We have won awards for the ads.

M. Bowman: Where does the income go from all of the antennae on top of the HSC?

K. Kaushansky: I think it goes to the campus at-large.

VII. UUP Report (K. Moriarty, B. Kube)

K. Moriarty: We had a UUP rally last week. It was a joint rally with HSC and West Campus. The rally was not about the announcement the President made about the hiring freeze. Our rally was pre-planned. We are negotiating with the Chancellor of SUNY and we are being stalled. We want to send a clear message to the Chancellor that we want to be dealt with fairly. We have our general assembly meeting on Wednesday, March 7th in SAC. My Office continues to advocate for the positions that we want to keep.

B. Kube: Carolyn is up in Albany advocating. We look forward to working with the administration so that when we do go up and advocate we have the information and the data that we need to present to the legislators on behalf of Stony Brook. There will be pre-retirement seminars scheduled for April.

Old Business: Professor Sanders asked at the last meeting about parking. I referred him to the University Affairs Committee to address that.

E. Feldman: Could you summarize what the issue was?

P. Wolfskill: I guess it was on January 30th when we had a snow storm and people were getting parking tickets.

J. Sanders: That was not the issue. The issue was that the parking authority is to provide good order and public safety. On the day in question they utterly failed to provide good order and public safety and since they can fine people who don't park properly, I suggested that we as a collective body, fine them.

P. Wolfskill: I was looking for an answer to that and I sent an email to Judy Greiman and before the meeting she said she was sorry she did not get back to me. E. Feldman: The committee has discussed this, right? P. Wolfskill: Yes the committee has discussed it and mostly they were fair with parking that particular day of the snow storm and as far as access, the University Police Department and Facilities do travel work in tandem to make sure that things were clearing.

M. Whelan: We did have a significant reduction in the number of tickets written that day.

J. Greiman: I think at the last meeting when this first came up I made it very clear that on that day all of Long Island was taken by surprise by that storm. I think it's important to make this point that our folks clear these roads and clear these lots and I hope people understand that because as you drive better than anybody and I don't want that lost in this conversation about that one day because the reality is when you drive up on a snow storm and you see people shaking their heads, Nichols road and 347 can be terrible but when you get on campus it's great.

J. Sanders: If the people who are issuing parking tickets it means they can get out with snow shovels and shovel some of the snow to make it safer. If you were to compare what goes on in our parking lots to the Suffolk parking lots you would find that the Community College up Nichols road does a far superior job.

Meeting Adjourned.

Submitted by:

Laurie Cullen
Secretary